

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**R.M.S. TITANIC, INC., successor-in-interest to  
Titanic Ventures, limited partnership,  
Plaintiff,**

**v.**

**Civil Action No. 2:93cv902**

**THE WRECKED AND ABANDONED VESSEL,  
ITS ENGINES, TACKLE, APPAREL,  
APPURTENANCES, CARGO, ETC., LOCATED  
WITHIN ONE (1) NAUTICAL MILE OF A POINT  
LOCATED AT 41 43' 32" NORTH LATITUDE  
AND 49 56' 49" WEST LONGITUDE,  
BELIEVED TO BE THE R.M.S. TITANIC  
in rem,  
Defendant,**

**and**

**UNITED STATES OF AMERICA,  
Intervenor.**

**INTERVENOR'S MOTION TO RECONSIDER THE MAY 18, 2020, OPINION  
AND REQUEST TO STAY THAT OPINION<sup>1</sup>**

COMES NOW, Intervenor United States of America, pursuant to Federal Rule of Civil Procedure 59(e), or in the alternative, Federal Rule of Civil Procedure 54(b), and moves for reconsideration and modification of this Court's May 18, 2020, Opinion (ECF No. 612) to deny permission to Plaintiff "minimally to cut into the wreck, only as necessary to access the Marconi Suite, and to detach from the wreck the Marconi wireless device and associated artifacts" or, at a minimum, to condition that permission on Plaintiff complying with Section 113 of Consolidated Appropriations Act, 2017, Pub. L. No. 115-31, 131 Stat. 192 (May 5, 2017) ("Sec. 113").

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<sup>1</sup> The United States recognizes that the Court has not yet ruled on its emergency motion for intervention nunc pro tunc. ECF No. 614. This motion is being filed to protect the United States' interests and to comport with the 28-day deadline for motions to reconsider required by Federal Rule of Civil Procedure 59(b).

In addition, pursuant to the Court's authority to control matters on its docket and to prevent irreparable harms, the United States further requests that the Court stay its May 18, 2020, Opinion until the Court has ruled on this motion and, in any case, for a reasonable period to permit the Solicitor General to determine whether to request relief in the court of appeals.

A supporting memorandum is filed simultaneously herewith.

Respectfully submitted,

UNITED STATES OF AMERICA,  
Intervenor

By: G. Zachary Terwilliger  
United States Attorney

By: /s/ Kent P. Porter  
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### CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of June, 2020, I will electronically file the foregoing document with the Clerk of Court using the CM/ECF system, which will then send a notification of electronic filing (NEF) to the following:

<b>Brian Andrew Wainger</b> Kaleo Legal 4456 Corporation Lane Suite 135 Virginia Beach, VA 23462 Email: <a href="mailto:bwainger@kaleolegal.com">bwainger@kaleolegal.com</a>	<b>David G. Barger, VSB #21652</b> GREENBERG TRAURIG, LLP 1750 Tysons Boulevard, Suite 1200 McLean, Virginia 22102 Tel: (703) 749-1300 Fax: (703) 749-1301 E-Mail: <a href="mailto:BargerD@gtlaw.com">BargerD@gtlaw.com</a>
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/s/ Kent P. Porter

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